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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 KEVIN KING,

11 Plaintiff,

No. CIV S-04-1158 MCE KJM P

12 vs.

13 DEPUTY COLEMAN, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action
17 filed under 42 U.S.C. § 1983. By order filed December 29, 2005, plaintiff's complaint was
18 dismissed with leave to file a third amended complaint. Plaintiff has now filed a third amended
19 complaint.

20 The third amended complaint states a cognizable claim for relief under 42 U.S.C.
21 § 1983 and 28 U.S.C. § 1915A(b). If the allegations of the amended complaint are proven,
22 plaintiff has a reasonable opportunity to prevail on the merits of this action.

23 In accordance with the above, IT IS HEREBY ORDERED that:

24 1. Service is appropriate for the following defendants: Thrasher, Wolfe, Dunn
25 and the San Joaquin County Sheriff's Department.

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1 2. The Clerk of the Court shall send plaintiff four USM-285 forms, one
2 summons, an instruction sheet and a copy of the third amended complaint filed February 9, 2006.

3 3. Within thirty days from the date of this order, plaintiff shall complete the
4 attached Notice of Submission of Documents and submit the following documents to the court:

5 a. The completed Notice of Submission of Documents;

6 b. One completed summons;

7 c. One completed USM-285 form for each defendant listed in number 1
8 above; and

9 d. Five copies of the endorsed third amended complaint filed February 9,
10 2006.

11 4. Plaintiff need not attempt service on defendants and need not request waiver of
12 service. Upon receipt of the above-described documents, the court will direct the United States
13 Marshal to serve the above-named defendants pursuant to Federal Rule of Civil Procedure 4
14 without payment of costs.

15 DATED: June 15, 2006.

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18 UNITED STATES MAGISTRATE JUDGE
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KEVIN KING,

Plaintiff,

No. CIV S-04-1158 MCE KJM P

vs.

DEPUTY COLEMAN, et al.,

Defendants. NOTICE OF SUBMISSION

OF DOCUMENTS

_____/

Plaintiff hereby submits the following documents in compliance with the court's
order filed _____:

1 completed summons form

4 completed USM-285 forms

5 copies of the 2/9/06
Amended Complaint

DATED:

Plaintiff